

Docket No.: 0459-0752P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Peter ANDERSEN et al.

Application No.: 10/723,908

Confirmation No.: 5514

Filed: November 26, 2003

Art Unit: 1645

For: TUBERCULOSIS VACCINE AND
DIAGNOSTICS BASED ON THE
MYCOBACTERIUM TUBERCULOSIS ESAT-
6 GENE GAMILY

Examiner: SWARTZ, Rodney P.

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action dated August 4, 2006, the Examiner has required a restriction between the claims of groups I – V as set forth on page 2 of the Office Action. This requirement is respectfully traversed. Reconsideration and withdrawal thereof are requested.

Applicants submit that at least some of the groups of claims could be examined in this application without any undue burden on the Examiner. In particular, Applicants submit that the claims of groups I and IV could be easily examined together as being directed to DNA, polypeptides encoded by the DNA, vectors and transformed hosts.

Therefore, Applicants submit that at least claims 1-40 should be examined together in this application.

However, in order to be fully responsive to the Office Action, Applicants provisionally elect to prosecute the claims of group I, that is claims 1-27.

Favorable action on all the claims is requested.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a five (5) month extension of time for filing a reply in connection with the present application, and the required fee of \$2,160.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: February 5, 2007

Respectfully submitted,



By _____
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